

Mr. THUNE. The following Senator was necessarily absent: the Senator from Nebraska (Mr. SASSE).

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 364 Ex.]

YEAS—52

Baldwin	Hirono	Rosen
Bennet	Kaine	Rounds
Blumenthal	Kelly	Sanders
Booker	Kennedy	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Tillis
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Hassan	Peters	
Hickenlooper	Reed	

NAYS—45

Barrasso	Ernst	Murkowski
Blackburn	Fischer	Paul
Blunt	Grassley	Portman
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Burr	Hoeven	Rubio
Capito	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Collins	Johnson	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young

NOT VOTING—3

Heinrich	Sasse	Warnock
----------	-------	---------

The PRESIDING OFFICER. On this vote, the yeas are 52; the nays are 45.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York.

The PRESIDING OFFICER. The Senator from Vermont.

RAILWAY LABOR MANAGEMENT DISPUTE

Mr. SANDERS. Mr. President, I want to take this opportunity to say a few words not only about the negotiations between railroad workers and the railroad management, but also to put that crisis into a broader economic context.

It seems clear to me—and I think the polls indicate it—that the American people are becoming increasingly disgusted by the corporate greed they are seeing and experiencing every single day.

They look out around them, and they see three people on top owning more wealth than the bottom half of American society. They see corporate profits soaring, while the prices they pay for the products they need continue to go up. They see CEOs of major corporations now making 400 times more than the average worker at that corporation.

They have seen during this terrible pandemic, when tens of thousands of

workers died because they had to go to work, the billionaire class make \$2 trillion more in their wealth.

Further, they look around them, and while the very wealthiest people in America become much richer, they walk down the street and they see people sleeping out on the sidewalks. We have almost 600,000 Americans who are homeless. People can't afford their healthcare costs. We have 85 million Americans who are uninsured or underinsured.

In other words, the economy is doing really, really, really well for CEOs and billionaires, but for the average American worker, he or she is falling further and further behind.

Now, within that broad context of what is happening in the overall economy, let's take a look at what is going on in the rail industry today and why Congress is being asked to implement a union contract with rail workers to avoid a strike that could take place as early as December 9.

And it turns out that when we talk about the extraordinary level of corporate greed in America, there is no better example of that than what is taking place in the rail industry today. They are the purest example of why the American people are so angry at what is taking place in our economy.

So if you look at the rail industry today, what you will understand is that this industry has seen huge record-breaking profits in recent years—huge profits. In fact, in the first three quarters—not a whole year, three-quarters of this year—the rail industry made a record-breaking \$21 billion in profit.

Further, they have so much money, profits are so high, that the industry spent over \$25 billion this year not to improve rail safety, not to address the supply chain crisis, but to buy back its own stock and hand out huge dividends to its wealthy stockholders.

In fact, since 2010—and I hope every Member of Congress hears this—the rail industry has spent over \$183 billion on stock buybacks and dividends.

And on top of all of that, the CEOs of many of these railroad companies are enjoying huge compensation packages.

So while workers struggle, last year the CEO of CSX made over \$20 million in total compensation. The CEOs of Union Pacific and Norfolk Southern made over \$14 million each in total compensation.

In other words, within the rail industry, corporate profits are soaring, and CEOs are making incredibly large compensation packages.

But in the midst of all of that, it is fair to ask what is going on for workers. Profits, recordbreaking; CEOs, tens of millions of dollars a year in compensation. What is going on for the workers in the rail industry?

And the reality is that the key issue in the rail dispute that we are dealing with right now—votes taking place as we speak in the House—is not about salaries. It is not about how much money workers there are earning. The

key issue is the working conditions in the rail industry, which are absolutely unacceptable and literally beyond belief.

Right now, if you work in the freight rail industry—and this is a job in the rail industry that is really hard work, dangerous work. It is work that takes place when it is 20 below zero. If you are a worker in the rail freight industry, you are entitled to a grand total of zero sick days. Let me repeat that. You are entitled to a grand total of zero sick days.

Now, as a nation, industry after industry, government after government, here in Congress, our people get sick, and they have the right to take time off. It is humane. No one—nobody, not the most conservative Member of this institution—would say to a worker: Oh, you have got COVID? You are fired.

It would be unthinkable. And yet what this means, what the policy in the rail industry means, is if you get sick, if your child gets sick, if your spouse gets sick and you need to take time off from work, not only will you not get paid, but you actually will get reprimanded and could get fired. And that absurd, inhumane situation is precisely what is taking place today in the rail industry.

Mr. President, let me remind you and all of our colleagues that hundreds of Americans are still dying every day from COVID, and tens of thousands are being hospitalized as a result of this terrible virus.

But what the freight rail industry is saying to its workers is this: It doesn't matter if you have COVID. It doesn't matter if you are lying in a hospital bed because of a medical emergency. It doesn't matter if your wife has just given birth. It just doesn't matter. If you do not come to work, no matter what the reason, we have the right to punish you; we have the right to fire you.

Frankly, it is hard to believe that these conditions still exist in the United States of America in the year 2022.

Let me give you just a few examples that I am familiar with, hearing from workers.

One rail worker was penalized by the railroads for spending the day in the hospital with his son who was having breathing issues.

Another worker couldn't take his pregnant wife to the doctor because it could have resulted in disciplinary action for him.

Tragically, we witnessed the death of a locomotive engineer, who was forced to skip his doctor's appointment after experiencing unusual symptoms, only to suffer a heart attack and die in an engine room weeks later.

And here is what one rail worker recently said:

I'm tired of being tired all day every day and having . . . every one of my coworkers being physically sick from sleep deprivation, most of my coworkers can't stay awake any more during a 12 hour trip!